

ASSEMBLY BILL

No. 1108

Introduced by Assembly Member Berg

February 22, 2005

An act to amend Section 1520 of the Health and Safety Code, relating to community care facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1108, as introduced, Berg. Community care facilities.

Existing law, the California Community Care Facilities Act, regulates the licensure and operation of various categories of community care facilities, as defined. The act includes application procedures for a person who wishes to be issued a license for a community care facility or a special permit for specialized services under the act.

This bill would make technical, nonsubstantive changes to the license application provisions of the act.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1520 of the Health and Safety Code is
- 2 amended to read:
- 3 1520. ~~Any~~A person desiring issuance of a license for a
- 4 community care facility or a special permit for specialized
- 5 services under this chapter shall file with the department,
- 6 pursuant to regulations, an application on forms furnished by the
- 7 department, which shall include, but not be limited to:

1 (a) Evidence satisfactory to the department of the ability of
2 the applicant to comply with this chapter and of rules and
3 regulations promulgated under this chapter by the department.

4 (b) Evidence satisfactory to the department that the applicant
5 is of reputable and responsible character. The evidence shall
6 include, but not be limited to, a criminal record clearance
7 pursuant to Section 1522, employment history, and character
8 references. If the applicant is a firm, association, organization,
9 partnership, business trust, corporation, or company, like
10 evidence shall be submitted as to the members or shareholders
11 thereof, and the person in charge of the community care facility
12 for which application for issuance of license or special permit is
13 made.

14 (c) Evidence satisfactory to the department that the applicant
15 has sufficient financial resources to maintain the standards of
16 service required by regulations adopted pursuant to this chapter.

17 (d) Disclosure of the applicant's prior or present service as an
18 administrator, general partner, corporate officer, or director of, or
19 as a person who has held or holds a beneficial ownership of 10
20 percent or more in, any community care facility or in any facility
21 licensed pursuant to Chapter 1 (commencing with Section 1200)
22 or Chapter 2 (commencing with Section 1250).

23 (e) Disclosure of any revocation or other disciplinary action
24 taken, or in the process of being taken, against a license held or
25 previously held by the entities specified in subdivision (d).

26 (f) A signed statement that the person desiring issuance of a
27 license or special permit has read and understood the community
28 care facility licensure statute and regulations that pertain to the
29 applicant's category of licensure.

30 (g) Any other information that may be required by the
31 department for the proper administration and enforcement of this
32 chapter.

33 (h) In implementing this section, the department shall give
34 due consideration to the functions of each separate licensing
35 category.

36 (i) Failure of the applicant to cooperate with the licensing
37 agency in the completion of the application shall result in the
38 denial of the application. ~~Failure to cooperate~~ *For purposes of*
39 *this subdivision, "failure to cooperate" means that the*
40 *information described in this section and in regulations of the*

- 1 department has not been provided, or not provided in the form
- 2 requested by the licensing agency, or both.

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